

UNITED STATES DISTRICT COURT

DISTRICT OF ARIZONA

In Re Bard IVC Filters Products
Liability Litigation

No. MDL-15-02641-PHX-DGC

**ORDER APPOINTING JUDGE MARINA
CORODEMUS (Ret.) AS SPECIAL
MASTER**

This matter was submitted *ex parte* by Plaintiffs' Leadership Counsel (PLC) who have previously identified and requested appointment of a Special Master with the authority to:

1. Assist the Court and Co-Lead Counsel with legal analysis of the PLC's submission of common benefit time records and expenses;
2. Perform any and all other duties as permitted by both the Federal Rules of Civil Procedure and Article III of the Constitution as requested and approved by the Court;
3. Monitor, analyze, comment, audit and advise Co-Lead Counsel and the Plaintiffs' Executive Committee ("PEC") throughout the entire litigation until conclusion as to all matters relating to common benefit time, fees, expenses, disbursements, and assessments.
4. Advise the court quarterly in writing in conjunction with Co-Lead Counsel as to the status of attorney time and expenses submission pursuant to CMO 6.

1 A formal request is made for the appointment of Judge Marina Corodemus (Ret.)
2 as Special Master to perform certain duties (which are more specifically set forth below)
3 arising from the CMO 6 governing the rules, policies, procedures, and guidelines relating
4 to the creation and administration of a common benefit fee and expense fund. The Court,
5 pursuant to its inherent authority, and having considered the consent of the Co-Lead
6 Counsel and Plaintiffs' Executive Committee, and the oral presentation made by counsel
7 on February 17, 2017, and cognizant of the important public policy of encouraging
8 fairness, consistency, objectivity, and experienced oversight involving such matters,
9 hereby issues the following Order.

10 It is hereby ordered that Judge Marina Corodemus (Ret.) is appointed as Special
11 Master to Plaintiffs as follows:

- 12 1. Special Master:
13 Hon. Marina Corodemus (Ret.)
14 120 Wood Ave. South – Suite 500
15 Iselin, New Jersey 08830
16 2. The Special Master shall fully perform the duties set forth below, which are
17 consented to by Co-Lead Counsel and the PEC relating to CMO 6, including, but not
18 limited to, the enumerated alternative dispute functions under the auspices of court-
19 appointed Special Master:

20 **SPECIAL MASTER DUTIES:**

- 21 A. Legal and procedural analysis of time, fees, expenses, disbursements, and
22 assessments of common benefit fund pursuant to CMO 6;
23 B. Advise Co-Lead Counsel and the PEC throughout the entire litigation until
24 conclusion as to matters relating to common benefit time, fees, expenses,
25 disbursements, and assessments;
26 C. Make and submit written quarterly reports regarding attorneys' fees and
27 costs of common benefit related matters pursuant to CMO 6; and
28

1 D. The Special Master may have *ex parte* communications with Plaintiffs' Co-
2 Lead Counsel, the PEC and/or the Court where necessary for the full and
3 fair implementation of this Order,

4 3. The Court shall retain sole authority to issue final rulings on matters
5 formally submitted for adjudication. No party shall be bound by the recommendations of
6 the Special Master absent a court order.

7 4. The Special Master shall be compensated privately by the Plaintiffs'
8 Leadership Committee as specified in a separate agreement, and pursuant to the
9 agreement with the PEC.

10 Dated this 26th day of June, 2017.

11
12 
13

14 _____
15 David G. Campbell
16 United States District Judge
17
18
19
20
21
22
23
24
25
26
27
28